

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated February 13, 2003, claims 1-18 are pending in the application. The dependencies of claims 4-9 have been changed to claim 2 which has been rewritten in independent form.

The drawings stand objected to under 37 C.F.R. 1.83(a) for failing to show each and every feature of the invention specified in the claims. In this objection the Examiner states "the first embodiment of the claimed invention must be shown or the feature(s) canceled from the claim(s)." Applicants respectfully submit that each and every element of the embodiment of claim 1 is shown in Fig. 1. That is, when the switches are configured in the proper manner, Fig. 1 is apparent. That is, the common node between auxiliary loads 26 and 28 is formed when switch SW1 is in the upper position as illustrated as a solid line in Fig. 1. Applicants therefore request the Examiner for reconsideration of this objection.

Claims 17 and 18 stand rejected because the limitation "sensed condition" has antecedent basis. Claims 17 and 18 have been changed to refer to a "predetermined condition" rather than a sensed condition. This corresponds more precisely with the specification.

Claims 1 and 5 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by *Kruse* (4,845,465). Applicants have canceled claim 1 and amended claim 5 to be dependent from claim 2.

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Kruse* as applied to claim 1 and 5 above, and in further view of *King* (5,710,699) and *Rich* (6,031,355). Applicants respectfully traverse.

Claims 2 and 10 require an inverter coupled to the first positive terminal and the second negative terminal wherein the loads are coupled between the first positive terminal and the common node and the second load is coupled between the common node and the second negative terminal. That is, the system is capable of providing a load that is powered individually by each of the batteries whereas the inverter is coupled by the series combination of the batteries. This is

not taught or suggested in any of the references. Claim 15 is a method claim similar in scope to claim 2, however, the specific recitation of forming the series combination to operate the invention is set forth.

The *Kruse* reference teaches a system that switches multiple loads but does not teach or suggest the use of an inverter. The *Rich* system also does not teach or suggest the use of an inverter. It should also be noted that the *Rich* system switches between parallel and series combination of battery cells. The battery cells as shown on the cover of the patent are in banks 1 and 2. The battery cells themselves are labeled 3 and 4. The individual batteries within the banks may be coupled in series or parallel but they are not connected to inverters so that the inverter is coupled by the series combination as individual loads are coupled to each of the batteries or battery banks.

The *King* reference teaches a battery VBAT and auxiliary power source Vcbp. Both of these systems are used to power and/or receive power from an inverter 18. However, each of these systems does not teach coupling an individual load to the individual power source. The auxiliary power source and the battery are coupled in parallel to the inverter.

No teaching is provided for the combination of the references. Further, even if the references are combined the present invention is not formed. The *Rich* reference is used to control the charging and discharging of a battery. Thus, the stated goal is different than that of the present invention. The *Rich* reference has the deficiencies described above. Although the *Kruse* reference includes two different power sources, the system operates in a manner such that a series combination of the two power sources cannot be formed. The operation of the *Kruse* reference is described in Col. 3, lines 5-60. As is described, a maximum of 50% duty cycle is used to power each of the lamp circuits. Thus, only one lamp circuit at a time is powered. This circuit cannot be combined with the *King* reference. The *King* reference teaches two power sources that are coupled in parallel to the inverter 18. Thus, the functionality of the *Kruse* and *King* references would both be destroyed should they be combined. Applicants therefore respectfully request the Examiner for reconsideration of this rejection.

In light of the above amendments and remarks, applicants submit that all objections are now overcome. Applicants respectfully submit that the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Respectfully submitted,
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